



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: 200075350

Date: July 24, 2003

Comments Due: September 5, 2003

In reply, please refer to the Public Notice Number

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## TO WHOM IT MAY CONCERN:

**SUBJECT:** Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act (CWA) and for water quality certification under Section 401 of the CWA to mine aggregate and produce aggregate products in the Wetlands, as shown in the attached drawings.

**APPLICANT:**     **Mr. Gary Tuttle**  
                      **Lafarge West, Inc.**  
                      **1590 West 12th Avenue**  
                      **Denver, CO 80204-3410**

**LOCATION:** The proposed River Valley Resources gravel pit is located south of the city of Steamboat Springs, on Colorado State Highway 131, approximately 4.25 miles south of the intersection with U.S. Highway 40. The proposed entrance to the project site is the last driveway to the east just north of the Yampa River. The proposed project is located in Section 21, Township 5 North, Range 84 West in Routt County.

**PURPOSE:** The purpose of the project is to mine aggregate resources and produce products including pit run, road base, crushed aggregate products, asphalt, and concrete for sale to the public.

**PROJECT DESCRIPTION:** The applicant is proposing to mine gravel on 90 of the total 128 acre site. The site is owned by the More Family Ranches, LLC, a 650 acre ranch. The applicant will lease the property. Besides gravel mining, the site will also include a concrete plant, a crush and screen plant, and an asphalt plant. The proposed total impacts to waters of the United States including wetlands is 5.02 acres.

The proposed project will be implemented in 5 phases. The applicant states that the mining operation will not exceed 37 acres at any one time, and that each phase will be reclaimed as soon as possible.

The proposed gravel pit will be de-watered as shown in the attached drawings. Water will be discharged into settling ponds, and from there into irrigation ditches and transported off the property. Discharge of water removed in the pit to adjacent wetland channels will ensure the maintenance of adequate hydrology to these wetlands and others down the hydrologic gradient.

As proposed, Phase 1 will consist of mining on the eastern portion of the north parcel. The crusher, asphalt plant, and all stockpiles will be located at the current surface elevation. As soon as practicable, the asphalt plant, crush and screen plant, and wash plant, along with all product stockpiles will be moved to the bottom of the pit to reduce visual impact of the operation during the remaining phases of mining. The applicant is committed to maintaining no greater than 40 acres of disturbed land during all phases of mining. Previously mined areas in the pit bottom will be covered in topsoil and re-seeded to maintain plant cover and control weeds during the mining operation. Alternatively, some previously mined areas

may be flooded with groundwater to a shallow depth to prevent weed establishment. The proposed operating period of the mine will span 13 years.

In addition to the proposed mining operation, construction will include accel/decel lanes necessary for pit access from Colorado State Highway 131. Accel/decel lane construction will involve widening the highway at the 1380 feet to the north and 596 feet to the south. Proposed wetland impacts for the road widening is 0.88 acres.

The applicant is proposing to reclaim the project area with the creation of 5 lakes, 2 wetland areas from settling ponds, 5 wetland areas in uplands, and several shallow water wetland areas on the lake shoreline. The applicant is proposing to create a total of 16.34 acres of wetland. The applicant further states that all wetland mitigation areas will be protected via a deed restriction prohibit any future excavation, fill, or grazing.

**ALTERNATIVES:** The applicant presents that they have reviewed several alternative project approaches during their planning process. The alternatives have included two proposed site alternatives and several other site alternatives. Below summarizes their planning efforts.

**No-Build Alternative:** The No-Build Alternative assumes that the proposed River Valley Resource project would not be built. In this case, the land use practices would remain under agricultural operations, and no waters of the United States would be impacted. According to the applicant, the Steamboat Springs area is approaching a critical situation for gravel reserves. According to Routt County, the primary effect of the No-Build alternative is a significant increase of truck hauling traffic through the city of Steamboat Springs. The No-Build Alternative would limit any expansion of Large West operations in the Steamboat Springs area.

**Full North Parcel Alternative:** The applicant briefly considered mining the entire 105 acre north parcel. This alternative would have impacted 13.07 acres of waters of the United States, including 12.11 acres of jurisdictional wetland and 0.96 acres of other waters. Mining the entire property would add about 2 years of project life and produce a greater economic benefit to the applicant. This alternative was rejected in favor of the preferred alternative due to the increase of impacts to waters of the United States.

**Partial North Parcel Alternative:** The original proposal would have mined less than the full north parcel. This alternative was presented to Routt County during the conceptual review process. Based on Planning Commission and County Commission comments, this alternative was revised to the preferred alternative. The plan as presented would have impacted 7.48 acres of wetlands, or 62% of the wetlands within the proposed mine permit area.

**Werner Property Alternative:** The Werner property is located adjacent to Lafarge's North Pit operation, just east across the Union Pacific railroad. This site is approximately 100 acres and contains 4.76 acres of wetlands. A wetland jurisdictional determination was completed in June 1999. Access to this alternative site was proposed through the North Pit operation to access Colorado State Highway 131. The applicant submitted a plan to Routt County in 1999 to mine this area. The plan as submitted avoided and preserved the largest and highest quality wetland areas on site, and would not require the construction of accel/decel lanes. Routt County denied the permit on numerous issues including proximity to the south city limits of Steamboat Springs and visibility from U.S. Highway 40.

**Cannon Property Alternative:** The Cannon property is located on Colorado State Highway 131 north of the More property. This site is 220 acres and the applicant states that the site is not of sufficient size to contain a 100 acre operation and cannot be properly buffered from the visual corridor of Colorado State Highway 131.

**Hudspeth Property Alternative:** The Hudspeth property is located west of the More property, across Colorado State Highway 131. This site was discarded because of the significant amount wetlands and the land owner's reluctance to lease the land to Lafarge.

Locate Mine Area Elsewhere on the More Ranch Property Alternative: The applicant studied locations throughout the 650 acre More Ranch. Other locations on the property were rejected because of the visual resource impacts. The applicant determined that the preferred alternative provided the least impacts visually.

**AREA DESCRIPTION:** The proposed project is located in the South Valley area of Routt County, adjacent to the Yampa River. The property has historically been utilized as agricultural land. It is planted in hay crops and flood irrigated. In addition to hay production, cattle and horses are pastured during periods of the year. The property provides similar natural resource values to those that exist on ranch land throughout the floor of the Yampa Valley. The proposed project site consist of approximately 14 acres of wetlands. The Little River flows through the project site.

The proposed project site is located within the 100 year floodplain.

The upland areas are dominated by mixed cultivated grasses including timothy, Kentucky bluegrass, meadow foxtail, meadow fescue and smooth brome. The emergent wetland areas consist of sedge/rush communities dominated by beaked sedge, Nebraska sedge, water sedge, cloaked bulrush and cattail. The site also supports willow/cottonwood and willow/cottonwood/riverbirch communities with an understory of sedges, cattails and rushes.

The proposed accel/decel lanes will be constructed adjacent to a Great Blue Heron rookery, defined by the U.S. Fish and Wildlife Service as Colonial-Nesting Waterbirds. According to the Colorado Division of Wildlife, the project area may be utilized by sandhill cranes.

**ADDITIONAL INFORMATION:** The applicant has requested water quality certification from the Colorado Department of Public Health and Environment, Water Quality Control Division in accordance with Section 401 of the Clean Water Act. Written comments on water quality certification should be submitted to Mr. Phil Hegeman, Planning and Standards Section, Colorado Department of Public Health and Environment, Water Quality Control Division, 4300 Cherry Creek Drive South, Denver, Colorado, 80222-1530, on or before **September 5, 2003**.

The Colorado Department of Public Health and Environment, Water Quality Control Division also reviews each project with respect to the anti-degradation provision in state regulations. For further information regarding anti-degradation provision, please contact Mr. Hegeman at the Colorado Department of Public Health and Environment, Water Quality Control Division, telephone (303) 692-3518.

The applicant states that they believe that there is no historic structure on site. This is based on visual reconnaissance of the entire proposed site.

This activity would not affect any threatened or endangered species or their critical habitat. However, as stated above, a Great Blue Heron rookery exist just west of the proposed project site, adjacent to the proposed accel/decel lanes.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **September 5, 2003**. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All

factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

For activities involving 404 discharges, a permit will be denied if the discharge does not comply with the Environmental Protection Agency's Section 404(b) (1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments on this permit application should be submitted to the District Engineer at the address listed above. Please furnish a copy of your written comments to the attention of Mr. Anthony Curtis, Frisco Colorado Regulatory Office, U.S. Army Engineer District, Sacramento, P.O. Box 607, Frisco, Colorado 80443-0607. For further information, please contact Mr. Anthony Curtis, at telephone number (970) 668-9676, or email [anthony.c.curtis@usace.army.mil](mailto:anthony.c.curtis@usace.army.mil).

Mark W. Connelly  
Lieutenant Colonel  
Corps of Engineers  
Acting District Engineer

Enclosures: Drawing(s)